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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/885,426      | 06/19/2001  | Daniel Sobek         | AMD-E306            | 4225             |

7590 10/03/2003

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| EXAMINER |
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VU, QUANG D

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| ART UNIT | PAPER NUMBER |
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2811

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/885,426

Applicant(s)

SOBEK ET AL.

Examiner

Quang D Vu

Art Unit

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on amendment filed on 09/08/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,739,569 to Chen in view of US Patent No. 6,477,084 to Eitan and/or US Patent No. 5,879,990 to Dormans et al.

Regarding claim 16, Chen (figures 10a-c) teaches a process of fabricating a memory cell comprising a substrate that comprises a first region and a second region with a channel therebetween, the method comprising:

forming a gate above the channel of the substrate (8), wherein the gate comprises a polysilicon layer (column 6, lines 36-39, lines 49-51);

forming a source and drain subsequent to the forming the gate comprising the polysilicon layer.

Chen differs from the claimed invention by not showing a bit line. However, Eitan teaches the bitline (102) is the source and the bitline (104) is the drain (column 1, lines 36-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teaching of Eitan into the device taught by Chen because

Art Unit: 2811

it is used for interconnections with external device. The combined device shows forming a bitline subsequent to the forming the gate comprising the polysilicon layer.

Chen differs from the claimed invention by not siliciding the bitline. However, Dormans et al. teach siliciding (26) the source/drain (11 and 12) (figures 7-8; column 5, lines 22-28) in a non-volatile memory cell. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further have siliciding of Dormans et al. into the bitline of Chen, since the silicide layers reduce the resistivity of the bitline.

Regarding claim 15, the combined device teaches forming an oxide [(178) of Eitan (column 9, lines 56-57)] over the silicided bitline.

Regarding claim 17, Chen differs from the claimed invention by not showing siliciding the polysilicon layer. However, Dormans et al. teach siliciding the polysilicon layer (21) (figures 7-8; column 5, lines 22-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further have siliciding the polysilicon layer of Dormans et al. into the polysilicon layer of Chen because the silicide layer reduce the resistivity of the polysilicon gate.

Regarding claim 18, Chen differs from the claimed invention by not showing the siliciding of the bitline and the polysilicon layer occur simultaneously. However, Dormans et al. teach the siliciding of the source/drain (11 and 12) and the polysilicon layer (21) (figures 7-8; column 5, lines 22-28) occur simultaneously. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further incorporate the teaching of Dormans et al. into the device taught by Chen because the silicide layers reduce the resistivity of the bitline and the polysilicon gate.

Regarding claim 19, Chen teaches the nitride layer (116). It is known in the art that electron jump into the nitride layer and can be stored in the nitride layer as shown for example by Eitan. Eitan teaches electron jump into the nitride layer (110) by hot electron injection (column 2, lines 11-17). Eitan also teaches forming a charge-stored region (162) that contains a first amount of charge if the memory device is in the programming state; and forming a layer (160) between the channel and the charge-stored region (162), wherein the layer (162) has a thickness (column 7, line 64 – column 8, line 4).

Chen teaches forming a layer (115) between the channel and the charge-trapping region (116). Chen differs from the claimed invention by not showing the layer has a thickness such that the first amount of charge is prevented from directly tunneling into the layer. It is inherent that the first amount of charge is prevented from directly tunneling into the layer because the first amount of charge (electron) jumps into the charge storage region by hot electron injection.

Regarding claim 20, Chen teaches the charge trapping region (116) comprises silicon nitride (column 6, lines 30-32).

Regarding claim 21, Chen differs from the claimed invention by not showing the gate comprises an N-type material. However, Dormans et al. teach the gate layer (17) comprises an N-type material (column 4, lines 39-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further incorporate the teaching of Dormans et al. into device taught by Chen, since it reduces the resistance of the gate electrode.

Regarding claim 22, Chen differs from the claimed invention by not showing the gate comprises a polycrystalline silicon. However, Dormans et al. teach the gate comprises a polycrystalline silicon (column 4, lines 39-45). Therefore, it would have been obvious to one

Art Unit: 2811

having ordinary skill in the art at the time the invention was made to further incorporate the teaching of Dormans et al. into device taught by Chen, since it is a conventional gate electrode material.

Regarding claim 23, Chen teaches forming an insulating layer (118) on the charge trapping region (116).

Regarding claim 24, Chen teaches the insulating layer (118) comprises silicon oxide (column 6, lines 33-35).

Regarding claim 25, Chen teaches the charge trapping region (116) comprises silicon nitride (column 6, lines 30-32).

Regarding claim 26, Chen teaches the memory cell comprises an EEPROM memory cell (column 1, lines 39-40).

Regarding claim 27, Chen differs from the claimed invention by not showing the memory cell comprises a two-bit memory cell. However, Eitan teaches the memory cell comprises a two-bit memory cell (a left bit [102] and a right bit [104]) (column 6, lines 28-29; column 8, lines 33-34). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teaching of Eitan into the device taught by Chen because it is used for interconnections with external device. The combined device shows the memory cell comprises a two-bit memory cell.

Regarding claim 28, Chen differs from the claimed invention by not showing a p-type substrate. However, Eitan teaches the substrate comprises a p-type substrate (column 8, lines 1-3). Therefore, it would have been obvious to one having ordinary skill in the art at the time the

Art Unit: 2811

invention was made to incorporate the teaching of Eitan into the device taught by Chen because it is a known semiconductor material for substrate.

Regarding claim 29, the combined device differs from the claimed invention by not showing the process further comprising scaling the length of the bitline. It would have been ordinary skill in the art at the time the invention was made to scale the length of the bitline, since it has been held that discovering an optimum value of a result effect variable involves only routine skill the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). The length of the bitline also depends on the density of the memory device.

Regarding claim 30, the combined device differs from the claimed invention by not showing the scaling comprises reducing the thermal cycle of the bitline. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the bitline by thermal process, since it is a well known process to reduce or increase the length of the bitline.

### ***Response to Arguments***

Applicant's arguments with respect to claims 15-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D Vu whose telephone number is 703-305-3826. The examiner can normally be reached on Monday-Friday.

Application/Control Number: 09/885,426

Page 7

Art Unit: 2811

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 703-308-2772. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

qv  
September 16, 2003

  
Sara Crane  
Primary Examiner